

Enclosure B

Index of Withheld Records: Request No. EPA-R5-2014-008552

Exemption 5 - Deliberative Process Privilege

Exemption 7(A) – Records or Information Compiled for Law Enforcement Purposes

1. Email from John Steketee (Region 5 EPA), to James Morris (Region 5 EPA), re MKC Case Review Summary, 2/25/2014; 2 pages

Exemption 7(A) – Records or Information Compiled for Law Enforcement Purposes

2. Memorandum from Sara Breneman (Region 5 EPA), to Phillip Brooks (Region 5 EPA), re Request for Concurrence on Joint Determination of Waiver of Clean Air Act Section 113(d)(1) 12-Month Limitation on APO Against Madison-Kipp Corporation, 5/6/2013; 4 pages
3. Madison-Kipp Corporation Proposed Penalty Calculation, 3/11/2013; 1 page
4. Memorandum from Eileen Furey (Region 5 EPA), to George Czerniak (Region 5 EPA), re Recommendation to Issue a Notice of Violation to Madison-Kipp Corporation, 9/4/2012; 1 page
5. Checklist Supporting Notice of Violation/Finding of Violation, no date; 3 pages
6. Email from Eleanor Kane (Region 5 EPA), to James Morris (Region 5 EPA), re Madison-Kipp-Post NOV, 1/8/2013; 2 pages
7. Attorney Notes (Penalty information), no date; 1 page
8. Penalty calculation worksheets, no date; 6 pages

Exemption 5 – Attorney-Client Privilege

9. Memorandum from Eleanor Kane (Region 5 EPA), to James Morris (Region 5 EPA), re Justification to Issue 114 Information Request to Madison-Kipp Corporation, 2/2/2012; 1 page
10. Letter from William Brighton (U.S. Department of Justice), to Sara Breneman (Region 5 EPA), re Request to Waive Clean Air Act Section 113(d) Limitation on EPA's Authority to Initiate Administrative Case Against Madison-Kipp Corporation, 5/30/2013; 1 page

Exemption 5 – Attorney Work Product Privilege

11. Madison-Kipp Case Summary, no date; 1 page
12. Enforcement/ORC Activity Record, no date; 1 page

13. Email chain from Todd Palmer (Michael Best), to James Morris, Eleanor Kane (Region 5 EPA), re Madison-Kipp Corporation, Madison, WI-CAA Section 114 Request, 2/26/2014; 4 pages
14. Attorney Notes regarding Madison-Kipp, 11/9/2012; 3 pages
15. Attorney Notes regarding Madison-Kipp, no date; 1 page
16. Attorney Notes regarding Madison-Kipp conference call, 2/27/2014; 6 pages